Serial Number: 10/010,066

Filing Date: December 28, 2001

Title: VARIANT TLR4 NUCLEIC ACID AND USES THEREOF

Remarks

Reconsideration and withdrawal of the rejection of the claims, in view of the amendment herein, is respectfully requested. The amendment to claim 28 is intended to advance the application and is not intended to concede to the correctness of the Examiner's position or to prejudice the prosecution of the claims prior to amendment, which claims are present in an application related to the above-identified application. Claims 17-19, 28 and 32-40 are pending in this application.

The Examiner rejected claims 17-19, 28 and 32-40 under 35 U.S.C. § 112, first paragraph. The amendment to claim 28 obviates this rejection. Therefore, withdrawal of the 35 U.S.C. § 112, first paragraph, rejection is appropriate and is respectfully requested.

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6959 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date January 24, 26

Date of Deposit: January 26, 2006

This paper or fee is being filed on the date indicated above using the USPTO's electronic filing system EFS-Web, and is addressed to: The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.